

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SAMUEL EDWARDS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WENDLYN EDWARDS,

Respondent-Appellant,

and

SAMUEL BASHANS,

Respondent.

UNPUBLISHED

March 19, 1999

No. 213306

Saginaw Circuit Court

Family Division

LC No. 96-024311 NA

Before: O'Connell, P.J., and Jansen and Collins, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g).¹ We affirm.

Respondent-appellant does not argue that the statutory grounds for termination were not established by clear and convincing evidence. Instead, she argues that the trial court erred in terminating her parental rights because the evidence showed that termination was not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997). We disagree. Although it was undisputed that respondent-appellant and the child enjoyed a close bond, evidence showed that respondent-appellant repeatedly returned to drug use, especially at times when return of the minor child to her custody appeared imminent. Although respondent-appellant was given many chances, she failed to address her drug addiction effectively. The

trial court did not clearly err in finding that respondent-appellant had failed to establish that termination of her parental rights was clearly not in the minor child's best interests. *Id.* See also *In re Ovalle*, 140 Mich App 79, 83; 363 NW2d 731 (1985) (failure to comply with treatment objectives proves unwillingness, inability to change).

Affirmed.

/s/ Peter D. O'Connell

/s/ Kathleen Jansen

/s/ Jeffrey G. Collins

¹ Respondent Bashans voluntarily relinquished his parental rights to the minor child. He does not join in this appeal.